

**PROCEEDINGS OF THE BROWN COUNTY
CRIMINAL JUSTICE COORDINATING BOARD**



Pursuant to Section 19.94 Wis. Stats., a regular meeting of the **Brown County Criminal Justice Coordinating Board** was held on Tuesday, March 28, 2006 in the Trutman Room of the Public Safety Building – 300 East Walnut Street, Green Bay, Wisconsin

Present: Hank Schultz – State Public Defender
Craig VanSchyndle – Police Chief
Dennis Kocken – Brown County Sheriff
Dr. Jerry Wellens – Marriage & Family Therapy Center
Jessica Stoller-County Executive's Office
Attorneys Jeffrey Jazgar/John Gower; Brad Hopp - Citizen Reps

Excused: John Zakowski, Jed Neuman, Beth Manning, Pat Evans
Rose Snyder-Spaar, Harold Kaye

Also Present: Chris Paquet
David Liners/Pastor Joe– Joshua Group

1. Call Meeting to Order:

The meeting was called to order by Chairman Hank Schultz, with no quorum, at 4:10 p.m.

2. Approve/Modify Agenda:

Items were taken out of order, although shown in proper format here. Agenda and minutes approved after Mr. Gower arrived and a quorum was present.

Motion made by VanSchyndle and seconded by Gower to approve the agenda. MOTION APPROVED UNANIMOUSLY

3. Approve/Modify Minutes of February 21, 2006:

Motion made by VanSchyndle and seconded by Wellens to approve the minutes. MOTION APPROVED UNANIMOUSLY

4. Discussion of Potential Committee Work Projects:

Chairman Schultz indicated that the items listed under #4 are a summary of topics e-mailed to him by the various members as areas to discuss, i.e. efficiencies of the justice system, alternatives to incarceration, community partnerships, disproportionate minority confinement and juvenile AODA/mental health use assessment/diversion.

a) More Efficient County Criminal Justice System

- i) Courts, Law Enforcement, DA's Office, & Public Defender's Office:**

- ii) **Procedures to insure Justice System knows status and location of clients:**
- b) **Alternatives to Incarceration:**
 - i) **House Arrest/Work Release/Day Reporting Center as alternatives to Huber:**
 - ii) **Treatment Courts:**
- c) **Community Partnerships, i.e. Mentors and Advocates:**
- d) **Disproportionate Minority Confinement:**
- e) **Juvenile AODA/Mental Health Use Assessment/Diversion:**

Chris Paquet stated he was asked by Beth Manning to attend this meeting and express his thoughts on areas of concern in the criminal justice system. First of all, he expressed concern regarding the lack of process available in the incompetent or not guilty by reason of mental disease or defect area.

(Mr. Gower arrived 4:15 p.m. – Return to items #2 and #3 – Approval of agenda and minutes.)

Mr. Paquet continued, stating he has been aware of scenarios where an individual sat in jail after being found incompetent by the court, only to have their time expire by the time Winnebago or another facility had room for them. There have also been cases of individuals who are mentally ill not receiving the appropriate treatment because they are not being moved. He suggested a process be developed to handle 971 claims (incompetent or NGI)

Chairman Schultz agreed there is an issue with the handling of the mentally ill, pointing out that the mental health system has not been used as much as the criminal justice system has been. Chief VanSchyndle stated that many times the mental health institutions will refuse mentally ill without a court order or because the individual has a warrant on them.

This area of concern was summarized as how should the County respond to the mentally ill who are incarcerated, and will be a future topic of discussion.

5. **Presentation from David Liners (from Joshua Organization) re: TIP (Treatment instead of Prison):**

David Liners, Executive Director of Wisdom (state umbrella of Joshua), is a congregation based organization. Mr. Liners explained the organization works on justice issues, the main one being treatment instead of prison. This program initiated from the Crime & Violence Task Force who had concerns with safety, finding that drugs and alcohol were the problem, and arrest and conviction was not taking care of the demand. It was determined that a better way to solve the problem was to deal with the issues by treatment, rather than incarceration.

Mr. Liners distributed a handout "Treatment Instead of Prisons", attached, in addition to a study completed in January of 2006 entitled "Justice Strategies", commissioned by the Drug Policy Alliance. (This study is available in the County Board Office and County Clerk's office and will be given to members who did not get a copy at the April meeting.) Mr. Liners indicated that the study looks at the

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State of Wisconsin, and found, after holding focus groups, that judges across the state would prefer alternatives to prison. The state budget this year includes \$750,000 for counties to apply for treatment alternatives and diversion.

Pastor Joe W., retired Lutheran pastor, explained that he works in the Fox Valley with the affiliate organization called Esther (Joshua in Brown County). Both organizations include TIP (Treatment instead of Prison) programs, attempting to establish alternative practices and policies. They are encouraging counties in Wisconsin to submit proposals to the Office on Justice Assistance for TAD money (Treatment Alternatives & Diversion). A proposal must be submitted, along with a plan, on how the specific county will develop treatment alternatives. Pastor Joe stated that counties need to begin to think with a new vision of corrections. He indicated that RFP's will be out on 4/10/06, with the deadline for proposals being late June, 2006.

Pastor Joe noted that eleven counties in the state already have drug treatment courts, and some have some variety of a Day Report Center, both focusing on alternatives to incarceration for alcohol and drug addiction.

Sheriff Kocken indicated that he visited the Day Treatment Center in Outagamie County (Appleton) after a presentation was made to the Public Safety Committee. He indicated that their greatest success has been with condition of bond offenders prior to being sentenced, although also have Huber clients. The program is contracted through Family Services.

John Gower excused 4:50 p.m.

Chairman Schultz stated that he will schedule Jeff VanderLeest to give a presentation on Day Treatment Centers at the next meeting, that it may be an idea for a potential first project for this committee. Sheriff Kocken noted that it appears that Judges are an important component to the day treatment program and suggested that a Judge and Court Commissioner be invited to hear the presentation by Mr. VanderLeest.

6. **Discussion of Committee Structure:**
Members of the committee were urged to send an alternate if they are unable to be present so that there is a quorum present.
7. **Such Other Matters as Authorized by Law:**
Next Meeting – Tuesday, April 18, 2006 – 3:30 p.m.
Truttman Room – Public Safety Building
Presentation by Jeff VanderLeest
8. **Adjourn:**
Meeting adjourned at 5:10 p.m.

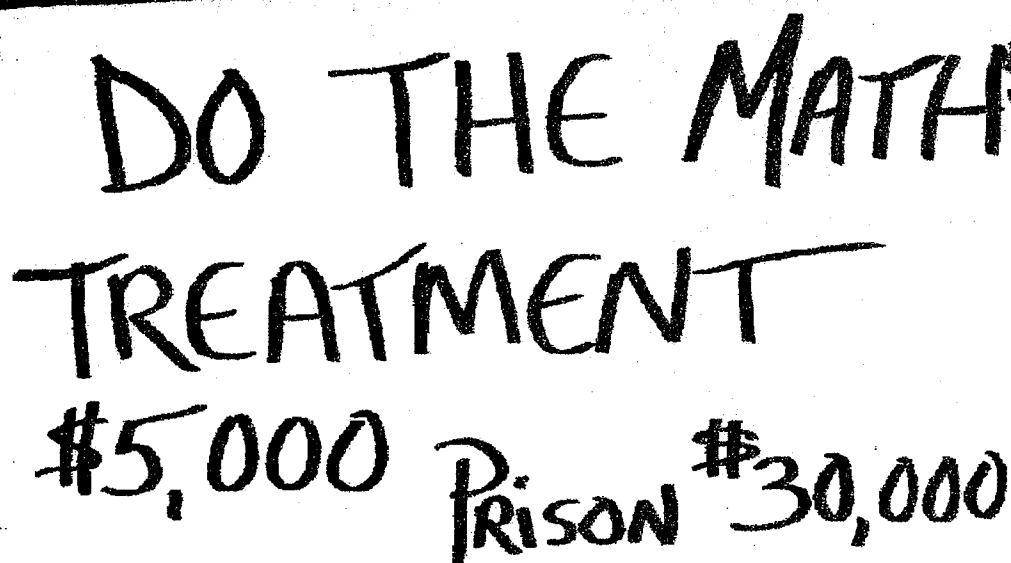
Respectfully submitted,

Rae G. Knippel
Recording Secretary

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TIP Treatment Instead of Prisons

FOR NONVIOLENT OFFENDERS



DO THE MATH
TREATMENT
\$5,000 Prison \$30,000

- Wisconsin's prison population has doubled from 11,000 to 22,000 since 1995. Since 2000, 60% of new prisoners are in for substance abuse offenses.
- In 1993, the state corrections budget was about \$278 million. By 2005, it had increased to \$1 billion.
- Thousands of inner city men and women are now in prison. This damages communities, shatters families and jeopardizes the future of the children left behind. Men and women convicts are often brutalized by prison, can't get jobs when they're out and then the cycle of crime continues.

Treatment Instead of Prisons (TIP) reduces the prison and jail population, saves taxpayer dollars, produces better outcomes for addicts and their families and makes all citizens safer.

TIP — it's fair, it's smart and it's time for Wisconsin to join other states in expanding community-based alternatives to jail and prison for nonviolent offenders.

WHY TIP?

It's fair.

Drug abuse affects all groups,
but prison rates vary greatly:

Rates of illegal drug use are very similar among whites, blacks, and Latinos—

8.1% for whites, 8.7% for blacks and 7.2% for Latinos. The rate for Native Americans is 12.3%, for Asian Americans 3.1%. (top chart)

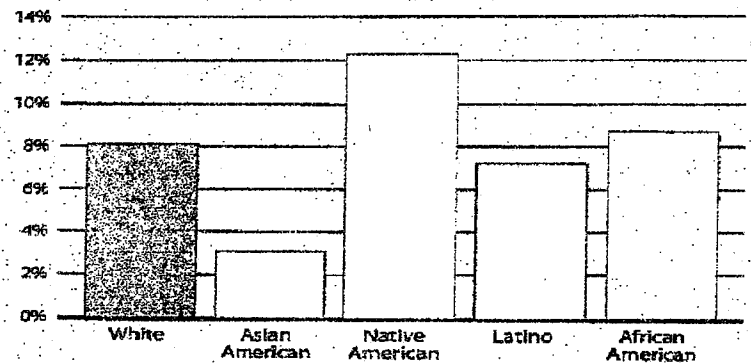
However, persons of color are much more likely than are whites to be sentenced to prison for nonviolent drug offenses. (bottom chart) In Wisconsin, for example:

- African-Americans are imprisoned at **thirty-seven times** the rate of whites.
- Latinos are imprisoned **nine times** more than whites.
- Native American are imprisoned **four times** more than whites.

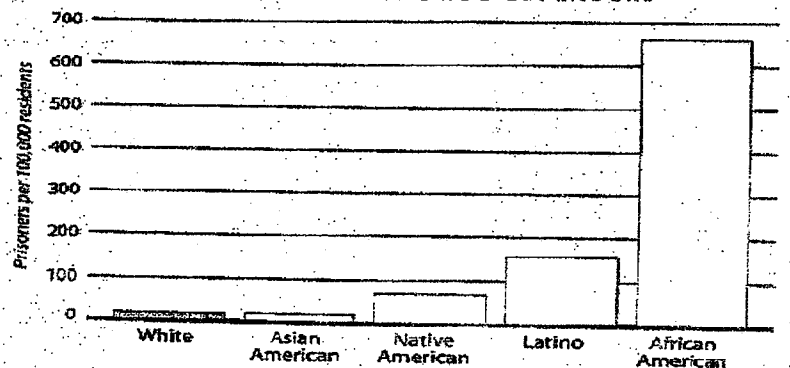
Photo by Susan Sterner



RATE OF ILLEGAL DRUG USE



Source: 2004 National Household Survey on Drug Abuse

INCARCERATION RATES
FOR NONVIOLENT DRUG OFFENDERS

Source: Justice Strategies

TIP gives children the opportunity for a more stable home life. "From our research, the children (of incarcerated parents)... are at increased risk for: becoming involved with the law themselves, drug and alcohol abuse, behavior problems, psychological problems, among other issues," says Linda Baker, director of the Center for Children and Families in the Justice System in California.

TIP benefits communities, especially inner cities where large numbers of people are in prison. Treatment helps individuals to overcome addiction, find and keep a job, maintain family relationships and be a positive force in the neighborhood. The U.S. Department of Health and Human Services evaluated clients in community-based, publicly funded treatment programs. They found that their drug use dropped 41%, the proportion selling drugs dropped 78% and the proportion arrested on any charge dropped 64%.

WHY TIP?

It's smart.



TIP saves state taxpayers money.

There are 2,900 Wisconsinites serving time for low-level, nonviolent offenses who have minimal criminal histories and need treatment. Keeping them in prison costs taxpayers \$83 million a year based on average annual costs of **\$28,622 per prisoner.**

For \$8,100 per person, Wisconsin could provide quality substance abuse treatment, case management, probation supervision and supportive services to these individuals. **TIP** would improve community safety and reduce annual prison costs by more than **\$30 million.**

TIP is the first step in reforming Wisconsin prisons — comprehensive corrections reform could save the state \$500 million each year in the long run.

Wisconsin spends more per capita on corrections than any state in the Midwest. Minnesota is similar in size, population and crime levels, but they pay 50% less than Wisconsin.

Why? The Wisconsin strategy is prison and punishment. The Minnesota goal is cost-effective reform. In Minnesota, counties pay for the use of state prisons which creates incentives for counties to develop and use community-based alternatives for minor offenses. Incidents of repeat offenses in Minnesota are the lowest in the U.S.

POTENTIAL SAVINGS BY COUNTY

Brown County	\$5 million
Dane County	\$28 million
Eau Claire County	\$8 million
Kenosha County	\$40 million
Milwaukee County	\$222 million
Outagamie County	\$10 million
Racine County	\$35 million
Rock County	\$18 million
Waukesha County	\$12 million
Winnebago County	\$6 million

The full county study is at www.tipwis.org

TIP is more effective than prison.

The evidence is overwhelming that incarceration is the least effective and most costly strategy for reducing drug use and crime.

The RAND Corporation Drug Policy Research Center, for example, concluded that for people prosecuted on federal cocaine charges, residential drug treatment programs are 15 times more effective at reducing serious crime than mandatory minimum prison sentences.



WHY TIP?

It's past time.

Other states and pilot programs in Wisconsin show it works:

- In 2003, Connecticut led the nation in reducing the prison population by restoring funds to the probation system and investing in community treatment programs.
- Ohio enacted sentencing principles that reduce the use of prisons for less serious offenses, initiated community-based alternatives for nonviolent offenders and abolished parole. That reduced the state prison population by 5,000, closing two prisons and saving taxpayers more than \$65 million per year.
- There are drug courts operating in more than five Wisconsin counties encouraging offenders to participate in substance abuse treatment. In Dane County, over 380 people graduated from treatment programs. Follow-up showed that graduates had a far lower re-arrest rate than those who did not participate. In 2003, the average cost for treatment per day was \$18 compared to \$60 per day in county jail or \$78 per day in state prison.

CONNECTICUT

OHIO



The groundwork legislation has already passed:

In the 2005-07 Budget, the state of Wisconsin created a fund to help counties finance treatment alternatives to incarceration. The law specifies the types of nonviolent crimes for which such alternatives can be established. Each county in Wisconsin that wishes to participate must apply for funding and create an advisory board including law enforcement, judicial, human services and community representatives. For approval, the county must present its plan to the Office of Justice Assistance. See the provision at www.tipwis.org.

There is growing support for a better approach:

- Judges from three regions of the state were convened at the request of Senator Carol Roessler (R – Oshkosh). They represented a broad cross-section of views and experience, yet they expressed substantial agreement *that increasing the supply of treatment options and upgrading community supervision could substantially reduce correctional costs and enhance community safety.*
- In a poll of metro Milwaukee area citizens by the Public Policy Forum, three-fourths (75%) of the respondents said they favored spending tax dollars on preventive approaches over prison. Almost two-thirds (65%) would be willing to raise taxes to create more alternatives to prison for nonviolent offenders.



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TIP IN ACTION —

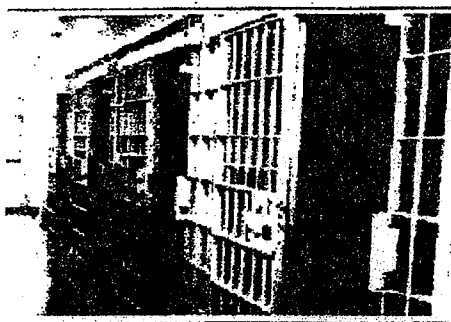
What Wisconsin should do:

1 Invest in high-quality, community-based substance abuse and mental health treatment for the criminal justice population.

State lawmakers should increase funding by \$22 million annually to make treatment available to 3,000 people convicted of nonviolent drug, property and drunk-driving offenses each year, including over 1,100 who would otherwise be prison-bound. This would improve public safety, strengthen families and communities, as well as save \$30 million in corrections cost.

2 Inform judges and court officials about good programs that produce better, cost-effective outcomes for offenders, victims and communities.

Wisconsin's courts need an Early Case Assessment and Referral system that puts information regarding defendants' need for treatment and associated services — along with referrals to appropriate programs — in the hands of judges, prosecutors, defenders and correctional officials at the earliest possible point in the criminal justice process.



3 Support local innovations that enhance public safety while reducing costly reliance on state prisons.

The state needs to change the current system of criminal justice funding which encourages counties to sentence people to state prison and let the state pick up the tab.

4 Change sentencing and correctional policies that impose huge costs on the state with little benefit to the public.

The legislature should reduce the time people spend in post-release supervision. In addition, they should allow prisoners sentenced under *truth-in-sentencing* to earn a modest amount of "good-time" credits to reward good behavior and efforts toward rehabilitation. This would reduce the prison population by around 2,000 over the long term. Penalties for first-time distribution of very small amounts of cocaine by those with no prior felony convictions should be reduced to help the state use limited correctional resources more efficiently. This would also reduce the devastating impact of prison on youth (21 and under), who make up 40% of all such cases.

Treatment Instead of Prison

*Saving taxpayers money
Keeping communities safe*

*Over 80% of the
people in Wisconsin
prisons need
substance abuse
treatment.*

As one judge puts it,

**"Drugs drive
all our crime,
the whole
caseload."**



What can you do?

Momentum for **Treatment Instead of Prison** is building in Wisconsin and around the nation. When enough citizens demand that Wisconsin use TIP to be Smart on Crime, legislators will act. YOU can help make TIP a reality, and make Wisconsin a state with fair, smart and effective corrections policy — not a state that wastes money and lives.

Here are some direct actions:

Contact the WISDOM office at (414) 831-2070, or at wisdomwi@sbcglobal.net. Ask:

- How your congregation can be involved in WISDOM and the TIP campaign.
- For a TIP campaign representative to speak to your group or organization.

Contact your State Senator or State Assembly Representative

(Call 1-800-362-9472 or, in the Madison area, 608-266-9960.):

- Tell them you support Treatment Instead of Prison, and ask if they will support the allocation of sufficient resources to make the program really effective in lowering our jail and prison populations.
- Ask what they will do to make Wisconsin's criminal justice system smarter and more fair.

Go to www.tipwis.org. Once you are there:

- Sign up to receive periodic e-mail updates about TIP and related issues.
- Read the Justice Strategies report *Treatment Instead of Prison: A Roadmap for Sentencing and Correctional Reform in Wisconsin* online at www.justicestrategies.net.

Support the TIP campaign with a tax-deductible contribution to WISDOM —
TIP Campaign — 3767 East Underwood Avenue, Cudahy, Wisconsin 53110

WISDOM is a statewide organization comprised of 125 congregations from 15 religious denominations seeking justice and common good. WISDOM is an affiliate of the Gamaliel Foundation.

Data and recommendations for TIP were taken from a 2006 report **Treatment Instead of Prisons: A Roadmap for Sentencing and Correctional Reform in Wisconsin** by Kevin Pranis and Judy Greene of Justice Strategies. County data was provided by Kenneth Hall, CPA.